UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EIGHT MILE STYLE, LLC and
MARTIN AFFILIATED, LLC,

Plaintiffs,

vs.

APPLE COMPUTER, INC. and
AFTERMATH RECORDS d/b/a
AFTERMATH ENTERTAINMENT,

Defendants.

Case No. 2:07-cv-13164
Hon. Anna Diggs Taylor
Magistrate Judge Donald A Scheer

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PLAINTIFFS' EX-PARTE MOTION TO EXCEED PAGE LIMITATION

NOW COMES Plaintiffs and by and through their attorneys Hertz Schram, P.C. and King & Ballow, and pursuant to Local Rule 7.1 (c)(3)(A) of the Eastern District hereby moves this Court to enter an Ex-Parte Order permitting Plaintiffs to file a Response Brief in Opposition to Defendants' Motion for Summary Judgment that exceeds the page limitation set forth by the

Local Rules. Plaintiffs request permission to file a Response of no more than 30 pages. The grounds for this Motion are more fully set forth in the Brief In Support of this Motion.

Respectfully Submitted,

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BRIEF IN SUPPORT OF PLAINTIFFS' EX-PARTE MOTION TO EXCEED PAGE LIMITATION

Plaintiffs rely on LR 7.1 (c)(3)(A) which provides, in pertinent part, that "A party seeking to file a longer brief may apply ex parte in writing setting forth the reasons."

In the case sub judice, Defendants' Motion for Summary Judgment raises complex legal issues. Defendants' brief (Doc. No. 34) is twenty pages long, they attach exhibits totaling an additional 180 pages (Doc. Nos. 34-3 through 34-12), and they have filed seven more exhibits under seal. Defendants' motion treats as simple what are in fact novel arguments in a highly specialized industry. Plaintiffs' response will of necessity discuss the complex legislative history behind the relevant portions of the Copyright Act and explain the long term development of the law behind the digital distribution of music.

Accordingly, plaintiffs respectfully request that this Court grant its Motion to Exceed Page Limitation, allowing them to file a Response Brief of no more than 30 pages.

Respectfully Submitted,

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I hereby certify that on June 23, 2008, I electronically filed Plaintiffs' Motion and Brief to Exceed Page Limitation with the clerk of the court using the ECF system which will send notification of such filing to the ECF Participants.

Respectfully submitted,

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